REMARKS

Claims 10, 11 and 15-17 were rejected in a Final Office Action dated October 26, 2005. Claims 10, 19 and 22 have been amended. Support for the amendments may be found throughout the present specification, and particularly at page 11. Applicants respectfully request reconsideration of the present application in view of the following remarks.

I. Rejections Under 35 U.S.C. §102/103

Claims 10, 11 and 15-17 were rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being unpatentable over JP 06-047363, in the name of Chikamori. Further, claim 19 was rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being unpatentable over Chikamori. Moreover, claim 22 was rejected under 35 U.S.C. §103 (a) as being unpatentable over the cited Chikamori patent. Finally, claim 12 was rejected over the cited Chikamori reference for the reasons of record. Applicants respectfully traverse these rejections.

As noted in previous communications, Chikamori is directed to a device for covering landfill material which prevents, or insulates, the landfill material from anaerobic decomposition which causes odor and contaminates groundwater. Chikamori's construction is a water barrier sheet (4) with patches, or windows (1,2,3), of air permeable material. This construction is described as beneficial for layering additional waste material thereon.

With respect to claims 10, 11 and 15-17, applicants submit that Chikamori does not disclose or suggest the presently claimed combination of features. Further, with respect to claim 12, applicants submit that Chikamori does not disclose or suggest the presently claimed combination of features. Namely, Chikamori does not disclose or suggest cover for the aerobic treatment of biodegradable material, which comprises a laminate of a porous polymeric inner layer comprising porous polytetrafluoroethylene having an average pore size of between 0.2 and 10 µm and having on one side an oleophobic coating oriented to face said biodegradable material, said layer adhered on its opposite side to at least one woven, non-woven or knit water-repellent fabric outer layer, in which the laminate has an air permeability of between 10 and 100 m^3/m^2/hour at 200 Pa pressure difference, a water entry pressure greater than 20 kPa, an Ret less than 15 m^2Pa/W; and in which the porous polymeric inner layer minimizes the

formation of an obstruction layer of liquid forming on or within said cover during aerobic treatment of said biodegradable material.

Finally, with respect to claim 19, applicants respectfully submit that Chikamori does not disclose or suggest a cover for the aerobic treatment of biodegradable material which consists essentially of the laminate, as presently claimed. Specifically, it would not be obvious based on the teachings of Chikamori to construct applicant's claimed cover consisting essentially of the laminate with the described features. Accordingly, applicants submit that this rejection should be withdrawn.

With respect to claim 22, applicants submit that Chikamori does not disclose the construction, the claimed orientations of the components or the feature that the porous polymeric inner layer minimizes the formation of an obstruction layer of liquid forming on or within said cover during aerobic treatment of said biodegradable material.

III. Conclusion

For the foregoing reasons, the present invention as defined by claims 10-12, 15-17 and 22 sufficiently identifies the novel features of applicants' invention and is neither taught nor suggested by the cited reference. Accordingly, applicants believe that the claims are in form for allowance.

If further questions remain, applicants request that the Examiner telephone applicants' undersigned representative to schedule an interview prior to issuing a further Office Action.

Respectfully submitted,

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Clean Version of Pending Claims

10. (presently amended) A cover for the aerobic treatment of biodegradable material, which comprises a laminate of

a) a porous polymeric inner layer comprising porous polytetrafluoroethylene having an average pore size of between 0.2 and 10μm and having on one side an oleophobic coating oriented to face said biodegradable material, said layer adhered on its opposite side to

b) at least one woven, non-woven or knit water-repellent fabric outer layer, in which the laminate has

ix) an air permeability of between 10 and 100 m^3/m^2/hour at 200 Pa pressure difference,

x) a water entry pressure greater than 20 kPa,

xi) an Ret less than 15 m^2Pa/W;

and in which the porous polymeric inner layer minimizes the formation of an obstruction layer of liquid forming on or within said cover during aerobic treatment of said biodegradable material.

11. (previously amended) The cover of claim 10 wherein the laminate has a tensile strength greater than 1000 N/5 cm.

12. (original) The cover of claim 11 wherein the fabric comprises a polyester, polyacrylate, polypropylene or a fluoropolymer.

13. (cancelled)

14. (cancelled)

15. (original) The cover of claim 10 wherein the air permeability is between 15 and 50 m^3/m^2/hour at 200 Pa pressure difference; the water entry pressure is greater than 50 kPa; the Ret is between 2 and 10 m^2/Pa/W; and the average pore size of the porous polymeric layer is between 0.3 and 3 micrometers.

16. (original) The cover of claim 10 or 15 wherein the surface of the laminate facing towards the biodegradable material has an oil rating of at least 1.

17. (original) The cover of claim 10 or 15 wherein the surface of the laminate facing toward the biodegradable material has an oil rating of at least 5.

18. (cancelled)

19. (previously amended) A cover for the aerobic treatment of biodegradable material consisting essentially of a laminate of

(a) an expanded PTFE membrane inner layer exhibiting a node and fibril structure and having an average pore size of between 0.2 and 10 *um* oriented to face said biodegradable material, and

(b) at least one water-repellent fabric outer layer selected from the group consisting of a woven, knit and nonwoven construction, said laminate having

xii) an air permeability of between 10 and 100 m^3/m^2/hour at 200 Pa pressure difference,

xiii) a water entry pressure greater than 20 kPa,

an Ret less than 15 m^2Pa/W, and in which the porous polymeric inner layer minimizes the formation of an obstruction layer of liquid forming on or within said cover during aerobic treatment of said biodegradable material.

20. (cancelled)

21. (cancelled)

22. (previously presented) A system for the aerobic treatment of biodegradable material comprising

a cover for covering the biodegradable material comprising a laminate of a porous polymeric inner layer comprising porous polytetrafluoroethylene having an average pore size of between 0.2 and 10 *um* adhered to at least one water-repellent fabric outer layer, the laminate having

xiv) an air permeability of between 10 and 100 m^3/m^2/hour at 200 Pa pressure difference,

xv) a water entry pressure greater than 20 kPa,

xvi) an Ret less than 15 m^2Pa/W; and

an air flow means which provides at least some flow of air through the biodegradable material, and in which the porous polymeric inner layer minimizes the formation of an obstruction layer of liquid forming on or within said cover during aerobic treatment of said biodegradable material.